

Order

Michigan Supreme Court
Lansing, Michigan

April 6, 2012

142936(47)

GALE BOERTMANN,
Plaintiff-Appellee,

v

CINCINNATI INSURANCE COMPANY,
Defendant-Appellant.

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

SC: 142936
COA: 293835
Macomb CC: 2008-003332-NF

On order of the Court, the motion for clarification of this Court's October 19, 2011 order is considered, and it is DENIED.

MARILYN KELLY, J. (*dissenting*).

I would grant plaintiff's motion to clarify and strike defendant's argument pertaining to whether plaintiff's injuries amount to "bodily injury" within the meaning of MCL 500.3105(1) because it was not raised in either of the lower courts.

HATHAWAY, J., joins the statement of MARILYN KELLY, J.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 6, 2012

Corbin R. Davis

Clerk